

## AGENDA

### BOARD OF ADJUSTMENT

### TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

### CONFERENCE MEETING

May 12, 2016 7:30 pm

NOTE: Meeting is being held in conformance with all regulations of the SUNSHINE LAW and proper notice has been given to the Courier; also, the Agenda has been posted in Town Hall, Board Office and supplied to the Township Clerk at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue substantially past 10:30 PM.

**Members:** Mr. Sullivan, Mr. Miller, Mr. Boyer, Mr. Smith, Mr. Siburn,  
Mr. Nappi, Mr. Delia, Mr. Sylvester and Mr. Mustacchi

Mr. Bernstein, Board Attorney

### Roll Call:

### Adoption of Minutes:

April 28, 2016 Regular Meeting

### Adoption of Resolutions:

#### App.#5-16: Pete Dellomo, 144 Rutgers Avenue, Block 1705, Lot 2 (R-15 Zone)

Proposed principal additions including a second-level addition, a two-car garage addition and a covered front porch. The lot is a through lot with frontage and the driveway opening onto Rutgers Avenue and frontage also on Princeton Avenue. Relief is needed from Section 6.1.1B "Schedule of General Regulations" which requires a principal front yard setback of 50' where 50.01' is existing and 44' is proposed. The ordinance also allows a maximum "other" coverage of 10% where 9.38% is existing and 10.38% is proposed.

#### App.#8-16: James O'Keefe, 41 Putnam Avenue, Block 1803, Lot 9 (R-15 Zone)

The applicant is proposing to add a two-car garage, a second story above, and a small addition (approx. 46 sq.ft.) to the rear of this house on a corner lot. (Putnam Avenue is an improved street; Bolton Boulevard is a paper street.) Relief is needed from Section 6.1.1B "Schedule of General Regulations" because a 50' principal front yard setback from Putnam Avenue is required, while the existing setback is 39.66' and 43' is proposed. The required principal rear yard setback is 40', where 17' is existing and 19' is proposed. The amount of building coverage allowed is 15% where 12.04% is existing and 17.73% is proposed. The total lot coverage permitted is 25%, with 24.61% existing and 28.62% proposed. Nonconforming conditions are lot area, lot width, principal front yard setbacks from both Putnam Avenue and Bolton Boulevard, existing "other" coverage and existing rear yard setback. Also, an existing shed is located off of the property (on Township property).

**Informal Review of New Applications:**

**App.#6-16: Palma Quelly, 206 Sawmill Drive West, Block 1101, Lot 8 (R-15 Zone)**

Proposed principal addition to expand the existing one-car garage into a two-car garage and a new second-story addition to create a new bedroom and bathroom. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because the addition will encroach into the side yard setback. The lot width is a nonconforming issue.

**App.#7-16: Robert Nichols, 33 Holly Glen Lane South, Block 3504, Lot 36 (R-20 Zone)**

Proposed second-story addition over the existing two-car garage. Relief is needed from Section 6.1.1B "Schedule of General Regulations" because the existing house has a front yard setback of 42.43 ft. (vs. 50 ft. required), and the front yard setback for the proposed addition will be the same (42.43 ft.). Relief is also needed from Section 8.1.1B.1: "No nonconforming single family dwelling and no single family dwelling on a nonconforming lot may be enlarged, extended or increased unless said enlargement by itself conforms with all requirements of the Zoning Ordinance..." The only other nonconforming issue is lot area.

**App.#9-16: Doug Reinstein, 64 Hampton Drive, Block 3204, Lot 10 (R-20 Zone)**

Proposed principal addition to expand the existing one-car garage into a two-car garage and an 8' x 26' one-story addition to the rear portion of the house. The driveway would be expanded to accommodate the new garage. Relief is needed from Section 6.1.1B "Schedule of General Regulations" which requires a principal front yard setback of 50 ft. where 43.1 ft. is existing and 43 ft. is proposed; combined side yard setbacks required are 30 ft. where 40.6 ft. are existing and 28.2 ft. are proposed; required rear yard setback required is 40 ft. where 42 ft. is existing and 32 ft. is proposed. A variance is also required for exceeding the maximum permitted building coverage of 15%, other coverage of 10%, and total lot coverage of 25%. Nonconforming issues are lot area, lot depth and accessory setbacks for shed – side and rear.

**App.#3-16: Ruggero Scavina, Lenox & Rosehill Avenues, Block 401, Lots 3, 4, 5, 6 & 7**

The applicant is seeking a determination under N.J.S.A. 40:55D-68 that the use of the property as a nursery (i.e. plant or horticulture business) is a valid, prior nonconforming use. The applicant is therefore applying for the issuance of a certificate certifying that the use existed before the adoption of the ordinance which rendered the use nonconforming. (R-15 Zone)

**Adjournment**

Connie Valenti, Secretary